

# QUERIES

OF 20

## SOME TENDER

Conscienced CHRISTIANS.

About the late *Protestation*, commen-  
ded to them by the House of Commons, now  
Assembled in the High and Honourable  
Court of Parliament,

Wherein they desire to be resolved,  
Concerning { 1. The Authority imposing it.  
                  2. The necessity of it.  
                  3. The danger of it.  
                  4. Whether it can be taken in Faith.

*As also*  
Certaine Queries concerning the Ambiguity  
thereof, appearing in most, if not in all the  
severall Branches thereof.

Together with a Form of such an interpretation of it,  
as may safely be taken, and doth not goe a-  
gainst the literall Sence.

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*Written by a Learned Divine.*

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The *Queries* of certaine tender-Conscienced Christians, concerning the late *Protestation*, commen-  
ded to them by the House of Commons, now Assem-  
bled in the High and Honourable Court of Parliament, where-  
in they humbly crave a cleere satisfaction from their abler bre-  
thren, that they may take it with a well grounded  
and chearefull Conscience.

F<sup>ir</sup>st, as concerning the Authority of it, whether it comes sufficiently authorised to be imposed upon any, unlesse by the joynt consent of his sacred Ma-  
jesty, and both Houles of that High and Honourab'e  
Court both Head and Members; We do not hereby  
intend to charge any with the guilt of combination  
against Authority, but in the tendernes of our con-  
sciences, humbly to signifie our just scruples about  
the authority imposing it, and the contents of it; if  
it be said, it is not to be imposed on any, then we hope  
none can justly blame us, for using our lawful liberty,  
and refusall of that, which is not imposed on us.

- Secondly, concerning the Necessity of it; what  
need is there of urging or taking a Protestation at  
this time; since Oathes, sacred Bonds, are not to  
be taken without urgent necessity, unlesse wee wil take  
the Name of God in Vaine: and though the prudence  
of the contrivers may see a necessity to commend it, yet

it is no wonder if such silly ones as we, see not the necessity of taking it, untill they shall be pleased to impart their reasons. The conscientious will hold them selves bound to maintaine the Doctrine established, power of Parliaments, and liberty of Subjects without it, all others will slight it: we thinke in all humility love a stronger bond then compulsion, and other meanes more effectuall for holding out of Popery, namely diligent Preaching, Prayer, Humiliation, and Reformation, whereby we may encrease in the knowledge of the Truth, and the ability to defend us against the enemies of it. But for Ministers it seemes lesse needfull, who have already subscribed and sworne, and subscribed to the Doctrine of the Church of England against Popery, against whom sufficient Provisoes are made in case they revolt.

3. Thirdly what danger by multiplying Oathes? where diverse for fear may be forced to take them, *Reluctante conscientia*. Most do make too little conscience of them, and may endanger the land by drawing on it a Judgement for their slighting such a sacred bond, or violation of it, *For Oathes the Land mournes*, *Ier. 25. 10.* Whereupon Saint Austin in his second Sermon, *De verbis Apostoli, Falsa juratio exitiosa, vera iuratio periculosa, nulla iuratio secura est*, Above all things my Brethren, swear not, *Isaiah 5. 12.*

4. Fourthly, whether can this Oath be taken in Faith, without which, whatsoever we doe is sin, *Rom. 14.23.* Now this Oath comprehends so many things of severall kinds, and diverse of them unknowne to most of us, that though we be ready to believe & receive some of them single, yet our Faith cannot fathom them altogether,

together, and so we cannot sweare without doubting, and surely doubtful swearing is as dangerous as doubtful eating, every Oath should bee taken in Truth, Righteousnesse and Judgement. Iter. 4. 2. How can we take an Oath in Judgement, not having a full persuation in the meaning of it, or how can others with good Conscience presse it on us, till they give us full satisfaction herein?

If it be answered that the Creed, &c. are ambiguous, subject to doubtfull Interpretations, as appeares in divers Articles, yet upon this reaon, may not bee refused to be sworne: to this, the learned Divines of Abberdine have given sufficient answer. pag. 50. of their Duplice, these are of Divine Authority, or next Divine, agreeable to the Word, approved by the uniforme consent of all places in all ages. Wherupon wee are undoubtedly perswaded that the contrivers of them did neither intend, nor yet set downe any untruth, and therefore we doe submit to the unsallible authority of them, though some things be controverted in them, whereas we cannot suppose the same in any Oath contrived by men, subject to errors, wanting that generall approbation.



The Ambiguity of the OATH appeares to us  
in most, if not in all the severall Branches  
of it.

1. I Promise, Vow, and Protest, so maintaine with my life,  
I gods, and Power, the true Protestant Religion, expressed  
in the Doctrine of the Church of England. Quere, What  
is the Doctrine of the Church of England? Whe-  
ther that in the 39 Articles? Why is it not specified  
that we may know to what we sweare? Whether may  
it not be extended to that which hereafter shal be es-  
tablished; since in the Oath it is not (*now expressed, or al-  
ready established*) but, Expressed, in the Doctrine of the  
Church of England, which we suppose will bind us,  
if expressed hereafter; if so, None will set his seale  
to a blanke bond, so as the Obligee may make his dept  
as large as he listeth: and we conceive we should bee  
more cauetous in engaging our selves by Oath, then  
our Estate by Bond, since the tye is more vigorous,  
and the breach more dangerous. Ley. pag. 55.

2 I sweare to maintaine this Doctrine against all Popery  
and popish Innovations. Quere, in what extent is Pope-  
ry here abjur'd? Whether onely in Doctrinalls, and  
such onely as are fundamentall or come nigh the foun-  
dation? or to remoter superstructions undetermined?  
Wherein it hath alwayes bin held lawfull for Schol-  
lars to vary, and abundare sensu suo. Whether to Dis-  
cipline also? and liath not episcopacy bin branded  
for a Popish Hierarchie, and the Ministers ordained  
by

by them and standing under them. Notwithstanding it hath beeene allowed by our Doctrine, and establisched by our law? Hath not our Liturgy (though establisched by A&C of Parliament) beeene rejected as Popish? and all innocent Ceremonies (though ancienter farre then Popery) if abused by them? Nay one of late, against Popish Ceremonies tels us, that an oath must be extended to the largest sense; *Disput. against Engl. Ceremonies*, p. 93. 97.

3. *I sweare to maintain the power and priviledge of Parliaments, & the lawfull liberty and rights of Subjects.* Quer. What are those priviledges of Parliaments and rights of Subjects? Are these evident by the light of nature? that upon notifying them, every one that sweares is able to give his assent, acknowledging them undoubted priviledges and rights? or doe they vary in diverse Countries, according to the different constitutions of Statutes and charters depending on positive lawes? Why arewe not directed to thicke lawes? where we may be clearely informed, what are those undoubted priviledges and rights?

4. *I will maintaine every person that maketh this Protestation, in what he shall doe in the lawfull pursuance of the same.*

Quer. Whether am I hereby bound to imbroyle my selfe in every private quarrell betwixt particular persons? Suppose one that hath taken this Protestation be oppressed by some great one and pursue his right. Whether am I hereby bound to engage my selfe? If it be with reference to the publicke State. Whether am I alone bound to maintaine him in his rights, or only joynlytly with others? And how shall I be assured that it is his right, and that his pursuance is lawfull, that I may joyne with him? B. I

5. I will oppose and bring to condigne punishment, all such as  
*shall doe any thing to the contrary.* Quer. Whether is his  
 sacred Majesty and his lawfull Successors here excepted, in case they should attempt some innovation in  
 Religion, or to infringe the liberty of Parliaments, or  
 the rights of Subjects, or to oppose any that hath ta-  
 ken this Protestation? Now to take up armes against  
 our Soveraigne, either offensive or defensive, we have  
 not as yet learned. We neither in the Scriptures, nor  
 the writings, nor practice of primitive times find any  
 other remedy for Subjects unjustly prosecuted by He-  
 reditary Monarchs, but flight from their wrath, or pa-  
 tient suffering, or humble supplication with teares and  
 prayers. Nor dare we subscribe till we see those argu-  
 ments answered in the learned Duplice of the Divines  
 of Aberdine, pag. 160. If his Majesty bee excepted,  
 why is it not expressed? Nor can the expression of  
 such an exception be thought needless, though else-  
 where we sweare to maintaine the King.

Nor can it seeme a greater tendernesse of his Majes-  
 ties Honour, to omit the exception in this clause, sup-  
 posing his Majesties constancy in Religion, and equi-  
 table disposition in the administration of Justice.  
 Surely the modest request of such an exception canot  
 in the judgment of any reasonable man, import the slender-  
 est suspition of his Majesties inconstancy in Reli-  
 gion, or disposition to injustice. None are more fully  
 settled in their good opinion of him then we. But wee  
 provide for our owne peace, in case of dispute about  
 the boundaries of Religion, priviledge of Parliaments,  
 and rights of Subjects. Nor do we cast the least asper-  
 sion of imprudence or disloyalty upon the contri-  
 versy.

578

(182)

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vers of this Protestation, which we doubt not but their wisedomes can easily cleare, and we much crave may be cleared to us.

6. In case of dispute, what is the Religion established? power and priviledge of Parliaments? rights of Subjects? and the lawfull meanes of the pursuance of the same? or concerning the boundaries of those? who shall be Judge? The dictate of every private mans conscience? That were to expose the Kingdome to perpetuall contention; the Parliament? what if a dispute arise when no Parliament sits? The King and Counsell? or some deputed by his M iesty and the Parliament? or the stronger part?

7. *I swere never to relinquish this Protestation, &c.*  
Quere, doth this clause bind me for ever in no case to alter? What if the King and State should find it expedient hereafter to revoke this Protestation, or something in it? Why is not there a reservation of liberty to chunge with the State? Master Ley in his booke of the late Canons, pag. 85. thinks it unfit to make Median & Persian Protestations, that cannot be altered, when as such changes my fall in a State, as the wisest law my be thought necessary to be altered, and therefore to receive no further establishment, then my agree withall humane lawes to be left alterable.

Nor let us be thought herein to wrong our selfe, in forging exceptions and laying impediments in our own way. We walk in sincerity according to our light, not forging to our selves impediments or laying stumbling blockes in our owne way, but shewing such as seeme to be layd in our way, by the inimodious expression of the Protestation. If any

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thinke our doubts are too many, perchance he thinks too little of the peace of conscience of private Christians, and price of Ministry.

If any inforcement should be used, our suspence, till satisfaction be given, may be charitably ascribed rather to conscience then contumacy. And therefore the case so standing, we hope we shall neither be presed to the taking, nor our modest refusall oppressed with any penalty.

What pitty were it? which some mens feares begin to suggest, that after our painfull studies in the Universities, the expence of our patrimonies in our costly education (which might have maintained us plentifully in another course.) After our painfull imployments in our Pastorall charge, to the tyring out of our strength. After our families encresed above our abilities to support them (without the meanes we receive from the Church) to be thrust out of all, who cannot dig, and are ashamed to beg. After our hopes of removall of all burdens, now to be oppressed. With the same tongue that hath blest God for the heroicke zeale of that High and Honourable Court in removall of one Oath, now to complaine of the pressure of our consciences by another? that when such care is taken for the establishment of the rights of Subjects (should this Oath come hereafter to be presed) it might strip us of alwhichwe conceive derogatory to our rights, who are not the worst Subjects. That those, who have complained of subscriptions & oaths these eighty yeares (though of such things onely as were established by Parliament) should now be so forward to promote this, and presse it upon others. When

(183)

When divers things established by law were inconfiued, the Church and State thought it expedient to interpret them, as appeares, by divers Canons, Rubricks, and Injunctions, and the preface to the Common Prayers. When the Oath of Supremacy was inconfiued, King *James* of blessed Memory, vouchsafed to cleare it by publicke writings, and after to cleare this explication from all objections of *Fall* and others, by Bishop *Andrewes* and others. When the Reverend Primate of *Armagh* had cleared the same Oath in *Ireland*, the King gave him thanks for his paines taken therein, by a Letter now Printed. And this present Parliament to remove the feare of some Londoners (as we heare) vouchsafed to set forth an interpretation of one clause of this Protestation.

Whether would it not highly commend their prudence, and eternize their goodnessse, to vouchsafe a further interpretation of all the severall branches of it, or authorize by speciall Commission, some grave, wise men, in every Diocese, to admit of such interpretations as did not goe against the literall sense, and cleare it from all ambiguity.

*whether this interpretation, or such like might  
be accepted.*

1. I Swear to maintaine the Doctrine expressed in  
the Church of *England*, &c. I understand the  
Doctrine already established in the 39. Articles.

2. This Doctrine I will maintaine against all Po-  
pery, and Popish innovations &c. I understand all

181)

very Doctrinall, and innovations practicall, contrary  
to the Doctrine already established.

3. I Swear to maintaine the power and priviledge  
of Parliaments, the lawfull liberty and rights of Sub-  
jects, &c. I understand this so far as they shal be eviden-  
ced to me, by the standing lawes of this Kingdome, not  
repugnant to the lawes of God, to be undoubtedt privi-  
ledges and rights, and further the maintenance of these  
rights of Subjects, I understand not with reference to  
one another, to be hereby bound to imbroyl my self in  
every private mans quarell, though I conceive right,  
but with reference to the publike State.

4. I will maintaine every person that maketh this  
Protestation, in whatsoever he shall doe in the lawfull  
pursuance of the same, &c. This maintenance I under-  
stand not to bind me to maintaine them by my selfe  
alone, but together with others consenting and law-  
fully authorised, the same I understand of opposing in  
the next clause.

5. I will oppose and bring to condigne punishment,  
&c. In all the severall clauses, I exprestly except  
his sacred Majestie, and his lawfull successors, accord-  
ing to my Oath of Allegiance, not daring to thinke  
a disloyall thought, much lesse to lift up my hand a-  
gainst the Lords Annoynted.

6. I will never relinquish this Protestation, &c.  
Unless the State shal thinke it expedient to alter or  
revoke it; in which case I reserve my freedom.

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~~586~~  
~~(184)~~